

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

KRISTIN AMANDA WAYE, <i>individually</i>)	
<i>And as the Administratrix of the Estate of</i>)	
<i>Robert Timothy Waye, deceased, et al.,</i>)	
)	
Plaintiffs,)	
)	
v.)	Case No. 1:20-cv-264-RAH-SRW
)	(WO)
FLAT CREEK TRANSPORTATION)	
LLC, <i>et al.</i> ,)	
)	
Defendants.)	

RULE 26(f) ORDER

The remaining parties are hereby reminded of the obligation, imposed by FED.R.CIV.P. 26(f), to confer and to develop a proposed discovery plan and other information as required for filing the report of the parties' planning meeting. Accordingly, it is

ORDERED that the FED.R.CIV.P. 26(f) Report containing the discovery plan shall be filed as soon as practicable but not later **January 8, 2021**.

Dispositive motions shall be filed no later than 120 days prior to the pretrial hearing/conference date. If the parties seek to vary from that schedule, they should present, in the plan, specific case-related reasons for the requested variance. In their Rule 26(f) report, however, the parties should assume that the 120-day requirement will apply when the court enters the Rule 16(b) Uniform Scheduling Order. ("USO").

It is also the policy of this district that Rule 26(a)(3) witness list exchange (§ 9 USO), deposition designations (§ 10 USO), and exchange of trial exhibits and evidence (§ 11 USO) occur no later than 42 days prior to trial, to allow appropriate time for filing and resolution of objections and motions related thereto. The parties may agree to longer deadlines, but shorter deadlines ordinarily will not be allowed.

This case ordinarily will be set for trial during one of the presiding judge's regularly scheduled civil trial terms, **within 14 to 16 months of this order** if a term is available and, if not available, then as soon as possible thereafter. **The pretrial date is normally set within four to eight weeks of a scheduled trial term.** The dates of each judge's civil trial terms are available on the court's website located at <http://www.almd.uscourts.gov>.

The court may or may not hold a scheduling conference before issuing a scheduling order. If the court holds a scheduling conference, counsel may participate in the scheduling conference by conference call unless otherwise ordered by the court.

The scheduling order entered by the court will follow the form of the Uniform Scheduling Order adopted by the judges of this court. The Uniform Scheduling Order is also available on the court's website.

DONE, this 18th day of December, 2020.

/s/ R. Austin Huffaker, Jr.
R. AUSTIN HUFFAKER, JR.
UNITED STATES DISTRICT JUDGE